IAP15 Rec'd PCT/PTO 21 SEP 2006

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FORM (REV.	PTO-13	390 (Modified) U.S. PATENT AND TRADEMA	RK OFFICE; U.S. DEPARTMENT OF COMMERCE	ATTORNEY'S DOCKET NUMBER				
(ANSMITTAL LETTER T	884B.0001.U1(US)					
		DESIGNATED/ELECTE	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)					
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371				10/553,364				
		TONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED				
		PCT/GB04/01714	4/16/2004	4/16/2003				
		NVENTION Pulmonary Drug Delivery						
		Tumonary Drug Denvery						
APPI	LICAN	T(S) FOR DO/EO/US	· · · · · · · · · · · · · · · · · · ·					
Smit	h, et a	ıl.		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				
Appli		erewith submits to the United States	Designated/Elected Office (DO/EO/US) the	following items and other information:				
1.			ns concerning a submission under 35 U.S.C.					
2.	\boxtimes		ENT submission of items concerning a subm					
3.	LJ	(9) and (24) indicated below.	n national examination procedures (35 U.S.C	c. 371(f)). The submission must include items (5), (6),				
4.		The US has been elected (Article 31).						
5.		A copy of the International Applica	tion as filed (35 U.S.C. 371 (c)(2))					
		a. is attached hereto (required)	red only if not communicated by the Internat	ional Bureau).				
		b. has been communicated	by the International Bureau.					
ŀ	_	c. \square is not required, as the application was filed in the United States Receiving Office (RO/US).						
6.		An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).						
:		a. is attached hereto.						
7.		b. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))						
' '		_	uired only if not communicated by the Interna-					
			d by the International Bureau.	monal bulcady.				
		_	wever, the time limit for making such amend	ments has NOT expired.				
		d. have not been made and	will not be made.					
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).						
9.	\boxtimes	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).						
10.		An English language translation of Article 36 (35 U.S.C. 371 (c)(5)).	the annexes to the International Preliminary	Examination Report under PCT				
11.		A copy of the International Prelimin	nary Examination Report (PCT/IPEA/409).					
12.		A copy of the International Search	Report (PCT/ISA/210).					
lt		3 to 23 below concern document(s) or information included:					
13.	\boxtimes	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.						
14.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.						
15.		A FIRST preliminary amendment.						
16.		A SECOND or SUBSEQUENT preliminary amendment.						
17. 18.		A substitute specification. A power of attorney and/or change	of address letter					
19.			·	13ter 2 and 37 CER 1 821 1 825				
20.		A computer-readable form of the sequence listing in accordance with PCT Rule 13 <i>ter</i> .2 and 37 CFR 1.821 - 1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4).						
21.		A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).						
22.		Express Mail Label No.						
1		•						

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)) INTERNATIONAL	INTERNATIONAL APPLICATION NO.			ATTORNEY'S DOCKET NUMBER	
10/553,364			PCT/GB	PCT/GB04/01714			884B.0001.U1(US)	
23. Other items or information:								
_	fees have been s						CALCULATIONS	PTO USE
				• • • •		\$300	\$ \$0.00	
25. Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200							\$ \$0.00	
26. ☐ Search fee (37 CFR 1.492(b)) If the written opinionof the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500							\$ \$0.00	
TOTAL OF 24, 25 and 26 = \$							\$ \$0.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Total Sheets Extra Sheets Number of each additional 50 or RATE								
100	fraction thereof (round up to a whole							
	- 100 = 0 /50 = 0 x \$250.00				\$ \$0.00			
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).							\$	
CLAIMS	NUMBER F	ILED	NUMBER EXTRA		RATE	·		
Total claims		- 20 =	0	x	\$5	0.00	\$ \$0.00	
Independent clain	lent claims - 3 = 0 x \$200.0		0.00	\$ \$0.00				
MULTIPLE DEPE	NDENT CLAIMS	(if applicat	ole)	+	\$360	0.00	\$ \$0.00	
TOTAL OF ABOVE CALCULATIONS =							\$ \$0.00	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						by	\$ \$0.00	
SUBTOTAL =						\$ \$0.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).						\$ \$0.00		
TOTAL NATIONAL FEE =							\$ \$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +							\$ \$0.00	
TOTAL FEES ENCLOSED =							\$ \$0.00	
						Amount to be	\$	
							Amount to be	\$

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. A check in the amount of \$ to cover the above fees is enclosed. b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1924 . A duplicate copy of this sheet is enclosed. d. \Box Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (62 137(a) or (b)) must be filed and granted to restore the International Application to pending status SEND ALL CORRESPONDENCE TO: Harry F. Smith NAME 32,493 REGISTRATION NUMBER



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

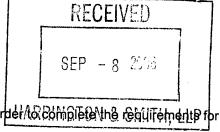
			www.uspto.go	~	
U.S. APPLICATION NUMBER	NO.	FIRST NAMED APPLICANT		ATTY. I	DOCKET NO.
10/553,364		Peter Richard Smith	884B.0001.U1(US)		
	USACTION	1.1 1	INTERNATIONAL APPLICATION NO.		
•	DUE DATE	11/5/06	PCT/GB04/01714		
29683	PAPER DATE	D 9/5/06	I.A. FILINO) DATE	PRIORITY DATE
HARRINGTON & SMITH, LLI 4 RESEARCH DRIVE	POA	FINAL 315/07	04/16/2	2004	04/16/2003
	MSG PT APPEALOTHER	_DWG	CONFIRMATION NO. 12 371 FORMALITIES LETTER *CC0000000020228196*		TTER

Date Mailed: 09/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- · Indication of Small Entity Status
- Copy of the International Application filed on 10/14/2005
- Copy of the International Search Report filed on 10/14/2005
- Copy of IPE Report filed on 10/14/2005
- Preliminary Amendments filed on 10/14/2005
- Information Disclosure Statements filed on 10/14/2005
- U.S. Basic National Fees filed on 10/14/2005
- Priority Documents filed on 10/14/2005
- Specification filed on 10/14/2005
- Claims filed on 10/14/2005
- Drawings filed on 10/14/2005



The following items **MUST** be furnished within the period set forth below in order/to complete the requirements for acceptance under 35 U.S.C. 371:

 Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-200 for a Small Entity:

(A previous payment of \$200 will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,364	PCT/GB04/01714	884B.0001.U1(US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

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IN THE U.S. PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Applicant: Smith, et al.

Serial No.: 10/553,364

Filed: 4/16/2004

Title: Device for Pulmonary Drug Delivery

Attorney Docket No.: 884B.0001.U1(US)

Certificate of Mailing

I hereby certify that the following correspondence:

Transmittal Letter to U.S. Designated/Elected Office Declaration and Power of Attorney Information Disclosure Statement, PTO1449

is being deposited with the United States Postal Service, on the date shown below, first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop PCT

9/18/2006

Date

Elaine F. Mian